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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

CHERYL BARRER and WALTER BARRER,
on Behalf of Themselves and Those Similarly
Situated,

CASE NO. 06-CV-415-HA

CLASS ACTION

v.

CHASE BANK USA, N.A. and DOES 1
through and including 100,

**THIRD SUPPLEMENTAL REPORT
OF THE PARTIES' RULE 26(f)
PLANNING MEETING**

Defendants.

**THIRD SUPP. REPORT OF THE PARTIES'
RULE 26(f) PLANNING MEETING**

The parties submitted a Second Supplemental Report of their Rule 26(f) planning meeting on January 13, 2012 [Dkt. No. 110], which included a proposed Case Management Schedule, which, in part, called for Plaintiffs to file a motion for class certification on January 27, 2012. However, many of the proposed dates therein (including Plaintiffs' deadline for filing a motion for class certification), were based, in part, on the parties' reasonable and good faith expectations regarding the completion of certain discovery.

Since the filing of the Second Supplemental Report, the parties have continued to engage in substantial discovery. For example, Plaintiffs have taken two depositions, propounded supplemental written discovery and requested dates for two additional depositions. Meanwhile, Defendant has deposed both Plaintiffs and continues to produce large quantities of documents on a rolling basis. The parties have also met and conferred as directed in the Court's Order on Motion to Compel [Dkt. No. 119], and they anticipate follow up discussions and/or further discovery responses on those issues in the next couple of weeks.

In light of the current status of discovery, the parties respectfully seek to withdraw their proposed case management schedule submitted on January 13, 2012. The parties intend to update the Court with another supplemental report in the next 30 days.

DATED: February 23, 2012

STANLEY • IOLA, LLP

/s/ Matthew J. Zevin
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DATED: February 23, 2012

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PROOF OF SERVICE

Cheryl Barrer, et al. vs. Chase Bank USA, NA, et al.
CASE NO.: 06-CV-415-HA

I, the undersigned, declare under penalty of perjury that I am over the age of eighteen years and not a party to this action. I am employed in the County of San Diego, State of California. My business address is: 525 B Street, Suite 760, San Diego, CA 92101.

That on February 23, 2012, I served the following document(s) entitled: **THIRD SUPPLEMENTAL REPORT OF THE PARTIES' RULE 26(f) PLANNING MEETING** on ALL INTERESTED PARTIES in this action:

SEE ATTACHED SERVICE LIST

- BY MAIL:** By placing a true copy thereof in a sealed envelope addressed as above, and placing it for collection and mailing following ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence, pleadings, and other matters for mailing with the United States Postal Service. The correspondence, pleadings and other matters are deposited with the United States Postal Service with postage thereon fully prepaid in San Diego, California, on the same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- BY OVERNIGHT COURIER:** I caused the above-referenced document(s) to be contained in an overnight envelope and to be deposited in a **Federal Express/Overnite Express** box located at 525 B Street, San Diego, California, for delivery to the above address(es).
- BY FAX:** I transmitted a copy of the foregoing document(s) this date via telecopier to the facsimile numbers shown on the attached service list. The facsimile machine I used reported no error and I caused the machine to print a transmission record of the transmission.
- BY CM/ECF ELECTRONIC SERVICE:** I caused such document to be served via the Court's (NEF) electronic filing system on all registered parties.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on February 23, 2012, at San Diego, California.

/s/ Matthew J. Zevin
MATTHEW J. ZEVIN

**THIRD SUPP. REPORT OF THE PARTIES'
RULE 26(f) PLANNING MEETING**